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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,663	06/26/2003	Katsumi Kitagaki	027260-663	3997

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BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, VA 22313-1404

EXAMINER

GOINS, DAVETTA WOODS

ART UNIT PAPER NUMBER

2632

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/603,663

**Applicant(s)**

KITAGAKI ET AL.

**Examiner**

Davetta W. Goins

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-6 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/26/03</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
  
2. The following is a statement of reasons for the indication of allowable subject matter:  
Pertaining to claim 3, Duhamel (651) discloses a system including controllers used to assign house codes to a number of appliances and/or devices within a home as well as include a display for indicating the status of each appliance and/or device. However, Duhamel nor any other prior art of record disclose in their entirety the claimed house code verification means causing a communication means to send a correct house code and a house code assigning command for assigning the correct house code to the electronic equipment, counts a number of times that the verification means verifies that the house code received by the communication means is incorrect, and outputs a verification result showing that the house code by the communication means is incorrect when determining that the house code received by the communication means is incorrect after the number of times that the verification means verifies that the house code received is incorrect reach[ing] a predetermined number of times..

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, and 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abrams et al. (US Pat. 6,587,739 B1) in view of Duhamel (US Pat. 5,464,651).

In reference to claim 1, Abrams discloses a) the claimed house code assigning device comprising a communication means for sending a command for requesting transmission of a house code to electronic equipment included in the system and for receiving a house code from the electronic equipment, which is met by console 50 connected to a plurality of devices or appliances for receiving and/or sending data over power lines 27 (col. 3, lines 12-52). Controller 50 provides a new device with a house code and the controller can check the user-entered serial number against the serial number received from the new device and determine whether there is a match; if there is a match, the controller will proceed to add the new device to its database and to provide the new device with the house code, if the mat, and b) the claimed verification means for verifying whether or not a house code received by the communication means is correct and for outputting a verification result showing whether or not the house code received by the communication means is correct, (col. 8, lines 29-41). Although Abrams does not specifically disclose the claimed display control means for controlling a light emitting means according to the verification result

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from the verification means, he does disclose that the controller/console 50 includes an LCD for displaying status information or the various devices in the system to display device status and identifying information, error messages or alarms (col. 10, lines 39-62). Duhamel discloses a home security system connected to a garage door operator system; the system includes a remote module 14 include five code sect switches 42 used to define address codes for the security system as well as for the transmitter for the garage door; a plurality of LEDs are shown on the remote module 14 to indicate that the correct address or house code is selected (col. 4, lines 1-50). Since Abrams discloses a system that is capable of assigning house codes to devices, determining whether the house code is correct, and a display for indicating the status of each of the appliances, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of using light emitting diodes, as disclosed by Duhamel, with the system of Abrams, as a clear and immediate indication, after the request of verification is made, that the house code is the same.

In reference to claim 2, although Abrams does not specifically disclose the claimed display control means including a light emitting means that will blink when the verification result shows that the house code received is incorrect, he does disclose he does disclose that the controller/console 50 includes an LCD for displaying status information or the various devices in the system to display device status and identifying information, error messages or alarms (col. 10, lines 39-62). Duhamel discloses a home security system connected to a garage door operator system; the system includes a remote module 14 include five code sect switches 42 used to

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define address codes for the security system as well as for the transmitter for the garage door; a plurality of LEDs are shown on the remote module 14 to indicate that the correct address or house code is selected (col. 4, lines 1-50). Since Abrams discloses a system that is capable of assigning house codes to devices, determining whether the house code is correct, and a display for indicating the status of each of the appliances, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of providing a blinking light emitting diode or a stand still light or different colored light, which is well known in the art to indicate an alarm condition, in this case that the verification is incorrect.

In reference to claim 4, Abrams discloses the claimed house code assigning device making sure that a certain piece of electronic equipment is newly connected to the house code assigning device, the communication means sends a command for requesting transmission of a house code to the electronic equipment and receives a house code assigned to the electronic equipment, which is met by a new device will begin to transmit its identifying information to controllers 50, 59, 60; the controller will assign a house code to the devices within each house such that they will communicate only with the controller within the same house (col. 7, lines 20-39; col. 8, lines 4-56).

In reference to claims 5, 6, Abrams discloses the claimed house code transmission request command for requesting transmission, house code assigning, and can receive a house code to and from electronic equipment connected to the house code assigning device by way of a small amount of DC electrical power, which is met by the house 10 including a plurality of devices or

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appliances that can be coupled to the power lines 27; the PLC devices 52, 54 and 56 receiving commands and/or data from the controllers 50 and 60 (col. 3, lines 12-67).

5. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Schwarzbach et al. (US Pat. 4,418,333), Pezzolor et al. (US Pat. 4,755,792), Gilbert (US Pat. 5,530,896), Ivie et al. (US Pat. 5,815,086), Rye et al. (US Pat. 6,229,433 B1), and Belliveau (US Pat. 6,331,813 B1), which disclose appliance control systems.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**DAVETTA W. GOINS**  
**PRIMARY EXAMINER**



Davetta W. Goins  
Primary Examiner  
Art Unit 2632

D.W.G.  
September 25, 2004